



Inter Office Memo

DATE: August 10, 2017

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12663 - INITIAL STUDY APPLICATION NO. 7243 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3559

APPLICANT: Verizon Wireless

OWNER: George and Sterlene Beal

REQUEST: Allow a new wireless telecommunications facility consisting of an 80-foot-tall "monopine" tower with nine (9) 6-foot-tall panel antennas and related equipment located on a 17-foot by 4-foot concrete pad within a 576 square-foot lease area on a 2.46-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the east side of De Wolf Avenue, approximately 650 feet northeast of the intersection of Shaw and De Wolf Avenues, and approximately 300 feet east of the nearest city limits of the City of Clovis (8016 East Shaw Avenue) (SUP. DIST. 5) (APN 554-053-35).

PLANNING COMMISSION ACTION:

At its hearing of August 10, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Chatha to adopt the Mitigated Negative Declaration prepared for the project, adopt the required Findings for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3559, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12663

This motion passed on the following vote:

- VOTING:
- Yes: Commissioners Abrahamian, Chatha, Borba, Ede, Lawson, Mendes, Vallis and Woolf
 - No: None
 - Absent: None
 - Abstain: None
 - Recused: Commissioner Eubanks

STEVEN E. WHITE, DIRECTOR
 Department of Public Works and Planning
 Secretary-Fresno County Planning Commission

By: 

 William M. Kettler, Manager
 Development Services Division

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NOTE: The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit.

Attachments

EXHIBIT A

Initial Study Application No. 7243
Unclassified Conditional Use Permit Application No. 3559

Staff: The Fresno County Planning Commission considered the Staff Report dated August 10, 2017, and heard a summary presentation by staff.

Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:

- The change in the design by request of the City of Clovis was to the access (utility easement) route in order to accommodate future development, allowing the City of Clovis to subsequently give their approval.
- Verizon always designs its towers to be co-locatable for a variety of reasons, although primarily as a requirement of the local jurisdictions.

Others: The property owner spoke in support of the application stating that if the property is sold, the tower usually goes with the property. The future owner could attempt to renegotiate the lease if desired.

Correspondence: One letter from the City of Clovis, in support of the application, was presented to the Planning Commission as an exhibit in the Staff Report.

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Mitigation Monitoring and Reporting Program
Initial Study Application No. 7243/Unclassified Conditional Use Permit Application No. 3559
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as not to shine upward or toward adjacent properties and public streets.	Applicant	Applicant/ Fresno County Public Works and Planning (PW&P)	Ongoing
*2.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist should be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	Ongoing
Conditions of Approval					
1.		Development of the property shall be in accordance with the Site Plan, Floor Plan, Elevations, and Operational Statement approved by the Commission.			
2.		The ground equipment shall be screened behind a solid fence or a solid block wall that is architecturally consistent with the City of Clovis Adopted Loma Vista Specific Plan, and utilizes neutral or earth-tone colors, wood treatments or other features to improve screening and aesthetics. Elevations and screening plans shall be submitted to the City of Clovis for review and comment, and the Fresno County Department of Public Works and Planning for review and approval prior to issuance of Building Permits.			
3.		The maximum number of antennas allowed on the tower shall be determined according to wind load calculations as approved by the Fresno County Department of Public Works and Planning.			
4.		Barbed or razor wire fencing shall not be utilized on walls or screening areas within this lease area.			
5.		Prior to the issuance of permits, evidence shall be submitted showing that a provision is included in the signed lease agreement that reserves co-location opportunities.			
6.		The approval shall expire in the event the use of the antennas/microwave dishes ceases for a period in excess of two years. At such			

	time, the antennas/microwave dishes and related facilities shall be removed and the lease area shall be restored as nearly as practical to its original condition.
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*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference required Conditions for the project.

Notes

	<p>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</p> <p>1. The project shall comply with California Code of Regulations Title 24 - Fire Code. Prior to receiving Fresno County Fire Protection District (FCFPD) conditions of approval for the subject application, plans must be submitted to the Fresno County Department of Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD.</p> <p>2. If approved, plans permits and inspections are required, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.</p> <p>3. Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.</p> <p>4. If not already present, on-site turnarounds are required for vehicles leaving the site to enter the Arterial in a forward motion so that vehicles do not back out onto the road. No new access points are allowed without prior approval.</p> <p>5. Any additional runoff generated by the proposed development cannot be drained across property lines and must be retained or disposed of per County Standards.</p> <p>6. A grading permit or voucher is required for any grading proposed with this application.</p> <p>7. All footings and foundations for the cell tower and related facilities will be required to meet the mandatory setback requirements as established in the California Building Code.</p> <p>8. Equipment shall be maintained according to manufacturers' specifications, and noise-generating equipment equipped with mufflers. Noise-generating activities, such as maintenance, shall be limited to daytime hours.</p> <p>9. The Applicant will be required to complete a Hazardous Materials Business Plan submittal prior to commencing operations. All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.</p>
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County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

September 13, 2017

Verizon Wireless
2785 Mitchell Drive, Bldg. 9
Walnut Creek CA 94598

Dear Applicant:

Subject: Resolution No. 12663 - Initial Study Application No. 7243 and Unclassified
Conditional Use Permit Application No. 3559

On August 10, 2017, the Fresno County Planning Commission approved your Unclassified Conditional Use Permit with Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit.

If you have any questions regarding the information in this letter please contact me at jshaw@co.fresno.ca.us or 559-600-4204.

Sincerely,

Jeremy Shaw, Planner
Development Services Division

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Enclosure